



NEW YORK STATE SENATOR

Hugh T. Farley

## Senate Passes Legislation to Strengthen Law on Text Messaging While Driving

HUGH T. FARLEY May 5, 2011

| ISSUE: **CELL PHONES**

State Senator Hugh T. Farley (R, C, I - Schenectady) announced on May 3rd that he and his colleagues in the New York State Senate passed a bill (S.998B) that will make it easier for law enforcement to crack down on texting-while-driving offenses and prevent tragic accidents caused by drivers distracted by texting.

The bill would make text messaging while driving a primary violation rather than a secondary violation. Under the current law, a driver can only be cited for texting-while-driving if another violation, such as speeding, is also being cited.

A bipartisan group of State Legislators was joined at by representatives of the American Automobile Association (AAA) New York to discuss the Senate's action and to urge the Assembly to vote on the bill as soon as possible. Federal data shows 16,000 deaths nationwide due to texting while driving.

According to a study by the Virginia Tech Transportation Institute, a driver is 23 percent more likely to be involved in an accident while text messaging. The (AAA) says that any activity that takes a driver' attention off the road for more than two seconds can double the

risk of a crash. Some research has shown that distracted drivers are more impaired than those who are drunk or under the influence of drugs.

According to studies done by AAA, any activity that takes a driver's attention off the road for more than two seconds can double a driver's risk of a crash. The huge increase in text messaging as a form of communication, particularly among young people, has led to a new form of distracted driving which is being blamed for tragedies throughout New York State and the nation. In 2009, more than 5,500 people were killed in car accidents involving distracted drivers.

The bill was sent to the Assembly.

#### Texting While Driving Accidents in New York State

June 26, 2007, Fairport, NY- Five teenagers who had just graduated from Fairport High School were killed when the SUV they were in veered into the path of an on-coming tractor trailer. The driver's cell phone had sent and received text messages moments before the crash.

December 3, 2007, West Seneca, NY - 20 year-old old A.J. Larson was killed in an car crash. He was reportedly text messaging when he rolled through stop sign and was hit by a truck. Since his death, his mother, Kelly Klein, has been on a mission calling for stricter penalties when it comes to distracted driving.

November 30, 2009, Huron, Wayne County, NY – A woman was killed when she veered into the path of a truck while she was texting, according to police.

April, 2010 – SUNY Geneseo student Mary Kavanaugh, 22, was killed when she veered off the road and flipped her car. Authorities believe she was text messaging while driving.

January 9, 2011 – A Cayuga County woman, Tina Nevlezer, 27, was injured when she crashed into a tractor trailer. Authorities say she was text messaging while driving.

February, 2011 – A Baldwinsville Central School bus driver was accused of reading text messages while driving students. The driver's route called for driving students from kindergarten through 5<sup>th</sup> grade. The driver was ultimately not charged since texting while driving is a secondary offense.